



## ENCL. TO REPLY BRIEF OF 4 JUNE 2002

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: 401 M STREET, SW, SUITE 2000  
Washington, D.C. 20591  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,019	11/21/2001	Peter T. Pugliese	Prov.#1-3	9491
7590	05/28/2002			
ARTHUR R. EGLLINGTON 113 Cross Creek Dr. R.D. # 5. Pottsville, PA 17901			EXAMINER	HUI, SAN MING R
			ART UNIT	PAPER NUMBER
			1617	
DATE MAILED: 05/28/2002				

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED  
JUN 12 2002  
TECH CENTER 1600/2900

A. U. S. Patent and Trademark Office  
Washington, DC 20591  
CIR  
Kindly acknowledge receipt of accompanying  
paper by placing your mail room stamp hereon  
Filing Date 21 Nov 00 File No. 09/989,019  
Papers enclosed.  
Exd. Pat. Appln. of P.T. Pugliese, titled:  
Anticellulite Panty Hose  
1. Emendments in Reply Brief per CFR 1.111.  
Encl. A to clean version of amended claims.  
Encl. B to copy of PTOx Notice of Non-Compliant

No Fees



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

RECEIVED

JUN 12 2002

Paper No.

TECH CENTER 1600/2900

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 5-10-02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RESUBMIT THE ENTIRE AMENDMENT):

- 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: *Applicant must provide a clean version along with marked-up version of amended claims.*

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleleaf.pdf>. A condensed version of a sample amendment format is attached.

- PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

*Anna Bugg*  
\_\_\_\_\_  
Legal Instruments Examiner (LIE)